

# No wonder fox hunting is still prevalent – the ban is designed to fail British wildlife

January 30 2019, by Ash Murphy

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Red Fox. Credit: Jonn Leffmann/Wikipedia/CC BY 3.0

Despite overwhelming public opposition and a longstanding ban, fox hunting shows [no signs of abating](#) in the UK. The 2018 hunt season

alone saw [550 reports of illegal hunting](#), though these figures only represent known incidents.

In 2014 it was found that [250,000 fox hunters attended Boxing Day hunts](#) across the UK. In 2019, so far, at least [21 foxes have been killed by the hunt and 151 incidents](#) of illegal [hunting](#) have been reported since the season began on November 1.

The Hunting Act, which prohibited hunting foxes and wild mammals with dogs, was approved by the UK's parliament in 2003 with [362 MPs in favour and 156 against](#). The following year it became law. In 2017, the British people were surveyed on whether they continue to support the ban on fox hunting and the result was resounding – the highest margin ever recorded on the matter - [85% thought fox hunting should remain prohibited](#).

So if the ban is entering its 15th year, why is fox hunting still happening?

## **A legal let-down**

This question is answered in the Hunting Act itself, particularly the manner in which it "outlaws" fox hunting. [Article 1](#) states that a "person commits an offence if he hunts a wild mammal with a dog". But the provision continues: "Unless his hunting is exempt."

Herein lies the deceit of the Hunting Act, for it lists a total of nine reasons [a hunt may flout the general ban](#). One of the more commonly invoked exemptions maintains that it is legal to hunt foxes if they pose a danger to livestock, game, crops or fisheries. As such, fox hunting advocates would have us believe that Roald Dahl's tale of Fantastic Mr Fox and his endeavours to outwit farmers is all too common a curse in rural communities.

This remains nothing more than a smokescreen to defy the ban. Research has shown that foxes naturally control rabbit populations that if left unchecked, would [cause significant economic harm to farmers](#). The UK government's Department for Environment, Food and Rural Affairs (DEFRA) also advises against controlling foxes, and instead favours strengthening protection around livestock to [guard against natural predation](#).

Another commonly used exemption exploits a loophole around flushing foxes out to help birds of prey hunt. This has seen fox hunters disguising their true intentions by [taking birds of prey along with them](#) without ever letting them loose.

There is also the dubious practise of ["manufactured" trail hunting](#) in which hounds are supposed to follow an artificial scent trail with no animal chased or killed. In reality, hunt organisers use actual fox scent and lay routes deliberately close to where foxes are known to live, meaning they quickly become the subject of a hunt. Trail hunting is again an attempt to [hide the true intentions of those that wish to continue fox hunting](#).

Monitoring and gathering [accurate information](#) on all this to help prosecute offenders is a dangerous task, with members of the public often exposed to [insults, intimidation and threats](#) from hunters.

The inadequate Hunting Act and the nefarious practises of hunt organisers mean fox hunting endures in England and Wales. Scotland too, offers no refuge for foxes and the [Protection of Wild Mammals Act 2002](#) provides similar loopholes that allow hunting to continue.

Setting aside the cruelty of fox hunting, evidence from the Breeding Bird Survey suggests red fox numbers have [declined by 41% since 1995](#). Introducing a complete hunting ban is more essential than ever to protect

the UK's foxes.

## A fox-centric approach

The Hunting Act has humans as its focus by specifying how people can bend the law's provisions to their circumstances. Despite its prevalence in much of environmental law, this human-centric idea is entirely the wrong approach. Any future legislative efforts need to place foxes, and other mammals, at the centre of legislation.

Foxes must be protected for their own right, and a blanket ban on hunting, absent any exemptions, is the only way to safeguard populations. [Severe penalties must also be included](#), to ensure that those already willing to flout the law will rethink their actions.

The likelihood of such a move materialising during this parliament is slim, however. Prime Minister Theresa May offered a free vote to repeal the Hunting Act during the 2017 election but [withdrew the pledge after her disastrous election result](#).

It's essential that campaigns for stronger anti-hunting laws highlight how widespread resistance to diluting the ban is. The failures of the existing ban endanger foxes and betray the wishes of a majority of the public. Any update to the Hunting Act must crack down on those who think they are above the law.

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